

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION**

MP STAR FINANCIAL, INC., ) CASE NO.:  
)  
Plaintiff, ) JUDGE:  
)  
v. ) Filed Pursuant to a Subpoena Issued in  
NEXIUS SOLUTIONS, INC., ) Connection with Case No. 1:19-cv-00537,  
Defendant. ) Presently Pending in the Northern District  
 ) of Ohio, Eastern Division  
 )  
 ) **PLAINTIFF'S MOTION TO  
COMPEL COMPLIANCE AND FOR  
CONTEMPT**

Plaintiff, MP Star Financial, Inc. (“MP Star” or “MP Star Financial”), through counsel, hereby respectfully moves this Court under Fed R. Civ. P. 45(d)(2)(B)(i) and (g) for an Order compelling non-party witness All Cell Communications, Inc. (“All Cell”) to produce documents responsive to MP Star’s subpoena *duces tecum*, attached hereto as Exhibit A, and for contempt of court because of All Cell’s failure to comply with the subpoena without adequate excuse. A Brief in Support in attached hereto.

Dated: February 4, 2020.

Respectfully submitted,

/s/ Charles J. Pawlukiewicz  
Charles J. Pawlukiewicz (OH: 0011499)  
MCCARTHY, LEBIT, CRYSTAL  
& LIFFMAN CO., L.P.A.  
101 West Prospect Avenue  
1800 Midland Building  
Cleveland, Ohio 44115  
Telephone: (216) 696-1422  
Facsimile: (216) 696-1210  
Email: [cjp@mccarthylebit.com](mailto:cjp@mccarthylebit.com)

*Counsel for Plaintiff, MP Star Financial, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served, pursuant to Rule 5 of the Federal Rules of Civil Procedure, by electronic mail, regular U.S. mail, and certified mail on this 4th day of February 2020, upon:

Anthony A. Agosta, Esq.  
Clark Hill PLC  
500 Woodward Ave.  
Suite 3500  
Detroit, Michigan 48226  
[aagosta@clarkhill.com](mailto:aagosta@clarkhill.com)

The Records Custodian  
All Cell Communications, LLC  
720 S. Otsego Avenue  
Gaylord, MI 49735

*Counsel for Defendant Nexius Solutions, Inc.*

*/s/ Charles J. Pawlukiewicz*

---

Charles J. Pawlukiewicz (OH: 0011499)